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3
4 BILL NO. Z-73-06-25

5 ZONING MAP ORDINANCE NO. Z-14-73

6 AN ORDINANCE amending the City of
7 Fort Wayne Zoning Map No. F7, F9.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is
11 hereby designated a B1B district under the terms of Chapter 36,
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
13 amended by General Ordinance No. 2836 and amendments thereof,
14 and the symbols of the City of Fort Wayne Zoning Map No.
15 F7, F9, referred to therein, established by Section 9, Article
16 III of said Chapter as amended, are hereby changed accordingly,
17 to-wit:

18 Approximately 147 feet x 279 feet, Part of
19 Lot #29, Except the South 1,025 feet, in
20 J. H. Feichter Gardenview Addition, Fort
Wayne, Allen County, St. Joseph Township,
Indiana.

21 SECTION 2. This Ordinance shall be in full force
22 and effect from and after its passage and approval by the Mayor
23 and publication thereof.

24
25 
26 Councilman

27
28 APPROVED AS TO FORM
AND LEGALITY

29
30 
31 CITY ATTORNEY
32
33
34
35

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 6-26-73

Charles W. Wiesterman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 9-11-73

Charles W. Wiesterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (~~Annexation~~) (~~Special~~) (Appropriation) Ordinance (Resolution) No. 2-14-73 on the 11th day of September, 1973.

ATTEST: (SEAL)
Charles W. Wiesterman
CITY CLERK

W. J. C. Wiesterman
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Wiesterman
CITY CLERK

Approved and signed by me this 12th day of September, 1973, at the hour of 8:00 o'clock P. M., E.S.T.

James A. Laband
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 26, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-06-25; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,


WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 20, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflict with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this
4th day of September, 1973.



Gretchen Wiegel
Secretary

Hold

Bill No. Z-73-06-25

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. F7, F9

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman
Vivian G. Schmidt - Vice-Chairman
William T. Hinga
Paul M. Burns
Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

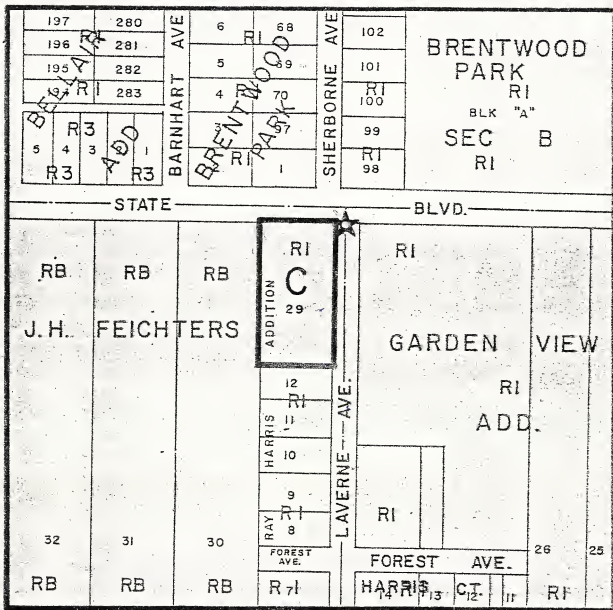
DATE 9-11-72 CONSIDERED IN
CHURCHILL W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

N^o 207FT. WAYNE, IND. 6/7 19 73RECEIVED FROM Violet S. Noble \$ 50.00THE SUM OF Fifty and 00/100 ¹⁰⁰ DOLLARSON ACCOUNT OF App 147' x 279', part of Lot #29, Except
with 1,025', J.H. Feichter Gardenview Add.Bark Steele

AUTHORIZED SIGNATURE



C CHANGE FROM RI TO BIB

Approximately 147 feet X 279 feet, Part of Lot # 29, Except the South 1,025 feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana

BNI No. Z-73-06-25

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Receipt No. _____

Date Filed _____

Intended Use _____

I/~~WE~~ Violet S. Noble

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an "R-1" District to a/an "B-1-B" District the property described as follows:

Approximately 147 feet x 279 feet, Part of Lot #29, Except the South 1,025 feet, in J.H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana

(Legal Description)

(General Description for Planning Staff Use Only)

I/~~WE~~, the undersigned, certify that I am/~~WE~~ are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Violet S. Noble

3524 E. State St.

Violet S. Noble

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Robert S. Bechert

214 Gettle Building

423-2574

(Name)

(Address)

(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

Dear Sir:

We approve of a Steak
House on Mrs Hobbs Corner.

Mr. & Mrs. Robert Henry

8-30-73

Ft Wayne, Ind.

To Whom it may Concern:

We have no objection to the property at 3524 E. State Blvd owned by Mrs. Clarence Noble to be zoned for light business.

We have been told that a chain restaurant "Sizzler Steakhouse" hopes to build on this property and we have no objection to such a business.

Sincerely
M H Evans
Irene M Evans

3509 E. State Blvd
Ft Wayne, Ind 46805
Telephone 4831988

✓

8-31-73

Dear Sir:

I give my O.K. on the
Steak House on Mrs. Noble
property.

Mrs. Robt. Goodman
2212 Ladune Ave.
St. Wayne, Ind.

9-4-73

To Whom this Concerns
Dear Sirs:

I live at 3506 E. State Blvd.
and I am not objecting
to the rezoning of Mrs
Clarence R. Nobles property
located at 3524 E. State Blvd.
I am told it will be
rezoned for light Business
and that the business
will be a eating place
called the Sizzling Steak
House,

Mr Howard S. Peterson

✓

du Fava of Steak House

Ja. Leaper	-2017
Helen Struss	-2025
Ileida Chapman	-2137
Larry Olsen - 5130 E. State	
Mary Moeke	-2107
Lillian Schinnerer	-2115
Anna Minnick	-2117
Helen Ester	-2125
Ruth Moelhering	-2123
Pat Clauss	-2111
Marie Koch	-2114
Ethel Olson	-2102
Mame Hershberg	-2001
Ethel Albright	-2023
Dorothy Foster	-2021
Marcella Pace	-1943
Ana Dekker	-1945
Marie Nolte	-1931
Adeline Schaefer	-1941
Clara Palmer	-1935
Mrs. William Brumker	-2127

all are residents of Senior H.

Senior Town

Mrs. Doratha Biderman
Frances Lauer

3422 East State

David Hostetter

3432 E. State

Martha Sinner Arthur Shull

3430 East State

Yelwa Snavely 3462 E. State St

Bernice R. Fox

Margaret Sheeloh

Oneida F. Nern E. State St.

Emory E. Myer

Pauline Hosler

Ethel Rider

Odellia McIntyre

Helen Smeltzer

Dora Doan

Ursula Wolfe

Marie Gladstone

Blanche York

Marguerite Webb

Grace Hunt 3426 E. State

Mrs John Rosswater 3444 E State

Maureen Hostetler 3428 E. State

September 1, 1973
3523 East State Blvd.,
Fort Wayne, Indiana 46805

TO WHOM IT MAY CONCERN:

This is to state that we own property at 3523 East State Blvd., and have no objections to the property at 3524 East Blvd., being sold and re-zoned for light business.

It is our understanding that this will be used to build a Sizzling Steak house on.

Yours very truly,

William H. McComb Sr.
William H. McComb Sr.

Louise McComb
Louise McComb

✓

DIGEST SHEET

3-73-06-25

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE _____

Petition initiated by property owners to rezone property located as follows:

Approximately 147 feet X 279 feet, part of Lot # 29, Except the south 1,025

feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St.

*Joseph Township, Indiana, generally located on the southwest corner of
of E. State Blvd. and Laverne Avenue.*

From "R1" to "B1B"

EFFECT OF PASSAGE From a residential zone to a commercial zone

(limited business)

EFFECT OF NON-PASSAGE Parcel would remain residential

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J. N.) DEG - WCM

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	2-73-06-25-
ORDINANCE NO.	3-14-73
REGULAR SESSION	6-26-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	
BILL WRITTEN BY	City Planner
DATE INTRODUCED	6-26-73
REFERRED TO SAID STANDING COMMITTEE	Resolutions
REFERRED TO CITY PLAN	6-26-73
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
X PASS	9-11-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
X	ZONING MAPS
	Resolution zoning Ord. 10-1-1973
	ABSTRACTS
	Letters from petitioners
	TITLES Petitioners to rezoning
	PRIOR APPROVAL LETTER

Original Sheet.

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

September 18, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 19 and September 26, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Zoning Map No. Z-12-73
Amending the City of Fort Wayne
Zoning Map No. E1, E2, F1, F2.

Zoning Map No. Z-11-73
Amending the City of Fort Wayne
Zoning Map No. BB9.

Zoning Map No. Z-13-73
Amending the City of Fort Wayne
Zoning Map No. C3, D3.

Zoning Map No. Z-14-73
Amending the City of Fort Wayne
Zoning Map No. F7, F9

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Common Council—City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

76

2

78

COMPUTATION OF CHARGES

78 lines columns wide equals equivalent lines at .288¢ cents per line \$ 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM \$ 23.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 27, 1973

Title CLERK

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill:

BILL NO. 2-14-73
ZONING MAP ORDINANCE NO. 2-14-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. 7, P. 7, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 38, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 228 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. 7, P. 7, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Approximately 147 feet x 279 feet, Port of Lot No. 29, Except the South 1225 feet, in J. H. Feichter Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication thereof.

JOHN NUCKOLS
Counclman

Read the third time in full and on motion by Nuckols, seconded by Tolario, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine — Burns, Hinga, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Tolario.
Nays: None
9-11-73

CHARLES W. WESTERMAN
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-14-73 on the 11th day of September, 1973.

ATTEST (SEAL)
Charles W. Westerman Winfield C. Moss, Jr.
City Clerk Presiding Officer
of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN
City Clerk
Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBANOFF

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-14-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN
CITY CLERK

PUBLISHER'S AFFIDAVIT

City of Indiana }
County }Personally appeared before me, a notary public in and for said county and state, the designated **ARVILLA DEWALD** who, being duly sworn, says at she is **CLERK** of the**JOURNAL-GAZETTE**
DAILY newspaper of general circulation printed and published the English language in the city of **FORT WAYNE, INDIANA** town of **FORT WAYNE** state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **2** time **S**, the dates of publication being follows:**September 20, 1973****September 26, 1973**Subscribed and sworn to before me this **27th** day of **September** 19 **73****Notary Public**My commission expires **October 25, 1975**

Common Council-City of Ft. Wayne
(Governmental Unit)To NEWS-SENT INEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

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Total number of lines in notice

—

76

2

78

COMPUTATION OF CHARGES

78 lines, 2 columns wide equals 228 equivalent lines at 22¢ cents per line \$ 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM

\$ 23.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. HostmanDate September 27, 1973Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of theNEWS-SENT INELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:September 20, 1973September 26, 1973Subscribed and sworn to before me this 27th day of September, 1973.

Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, a Regular Session did pass the following Bill No. 2-14-73, 2-14-73 Zoning Map Ordinance, to-wit:

BILL NO. 2-14-73
ZONING MAP ORDINANCE NO. 2-14-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. F7, F9, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1966, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. F7, F9, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Approximately 147 feet x 276 feet, Part of Lot No. 29, Except the South 1,225 feet, In J. H. Felscher Gardenview Addition, Fort Wayne, Allen County, St. Joseph Township, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and publication thereof.

JOHN NUCKOLS

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine — Burns, Hinga, Kraus, Moses, Nuckols, O. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None
9-11-73

CHARLES W. WESTERMAN

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-14-73 on the 11th day of September, 1973.

ATTEST: (SEAL)
Charles W. Westerman Winfield C. Moses, Jr.
City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN

City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBANOFF

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-14-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN

CITY CLERK